

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

STEPHEN BERNARD BLACKSTONE,	)	
	)	
Plaintiff,	)	Civil Action No. 12-1786
	)	
v.	)	Judge Cathy Bissoon
CO WILDIE RICHTER, <i>et al.</i> ,	)	Magistrate Judge Cynthia Reed Eddy
	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

On August 5, 2013, this case was referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C and 72.D of the Local Rules for Magistrates.

Also on August 5, 2013, the Magistrate Judge issued a Report (Doc. 28) recommending that Defendants' Motion to Dismiss (Doc. 23) be granted in part and denied in part, as described in the Report. Service of the Report and Recommendation was made on the parties, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

Defendants' Motion to Dismiss (**Doc. 23**) is **GRANTED** regarding all of the claims asserted against Defendants CO Morris, CO Feather, CO Colgan, and Lieutenant Eutsey; those Defendants are **DISMISSED WITH PREJUDICE** from this lawsuit; Defendants' Motion is **DENIED** as to Plaintiff's retaliation claim, but that claim may proceed only against Defendant Richter, the sole remaining Defendant; Defendants' Motion is **GRANTED** regarding Plaintiff's conspiracy claim; Plaintiff's "denial of access to the courts" claim may proceed, but only against

Defendant Richter; and the Report and Recommendation of Magistrate Judge Eddy dated August 5, 2013 hereby is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

September 4, 2013

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via ECF email notification):

All Counsel of Record

cc (via First-Class U.S. Mail):

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